UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,323	01/11/2002	Takashi Okazawa	03500.016101.	4441

5514   7590   06/15/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
LAM, ANDREW H

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
06/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 March 2007*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,5,16-22,26,37-43,46 and 49-56* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1, 5, 16-22, 26, 37-43, 46 and 49-56* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

- This action is responsive to the following communication: an amendment filed on

  03/13/07.

- Claims 1, 5, 16-22, 26, 37-43, 46 and 49-56 are pending in the present

  application. Claims 1, 22, 43, 46 and 56 are amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 16-22, 26, 37-43, 46 and 49-56 are rejected under 35 U.S.C. 102(b)

as being anticipated by Yuichi (JP Pub. No. 2000-259563) hereinafter Yuichi.

Regarding claim 1, Yuichi discloses a communication controller for controlling

communication between an apparatus and a network (drawing 3), comprising: a data

sending unit that sends, onto the network, data for enabling a browsing software to

display a list of a plurality of languages which are selectable in the communication

controller so as to allow a user to select a language from the list to be used in a

message to be sent (detail description, paragraph, 0011); a receiving unit that receives,

from the network, languages data indicting a language selected by the user from the list

(detail description, paragraph, 0011, language selection means 350); an obtaining unit

that obtains information concerning that apparatus (detail description, paragraph, 0011,

notice means 370 acquire the trouble ticket); a message creating unit that creates a

message to be send, based on the information obtained by said obtaining unit, in the

language indicated by the data received by said receiving unit (detail description,

paragraph, 0011, failure creation means 330); and a sending unit that sends the

message created by said message creating unit onto the network (detail description,

paragraph, 0011, message system server means 300 send out message to help desk)

Regarding claim 5, Yuichi discloses the communication controller according to

claim 1, wherein said data sending unit sends data for enabling the browser software to

display a screen on which the user can select the language from the list and can enter a

destination of the message, wherein said receiving unit receives destination data

indicating the destination entered by the user, and wherein said sending unit sends the

message created by said message creating unit to the destination indicated by the

destination data received by said receiving unit (detail description, paragraphs, 0011-23

and 37, see figs. 4 and 5).

Regarding claim 16, Yuichi discloses the communication controller according to

claim 1, further comprising: a controlling unit that determines a state of the apparatus

based on information indicating the state of the apparatus (detail description, paragraph

13) and that controls a message sending process by said sending unit in accordance

with the result of the determination (detail description, paragraph 28).

Regarding claim 17, Yuichi discloses the communication controller according to

claim 1, wherein said message creating unit determines a state of the apparatus based

on information indicating the state of the apparatus (detail description, paragraph 13)

and creates contents of the message in accordance with the result of the determination (detail description, paragraph 28).

Regarding claim 18, Yuichi discloses the communication controller according to claim 1, further comprising: a controlling unit that determines a state of the apparatus based on information indicating the state of the apparatus and that controls a message sending process by said sending unit in accordance with set values indicating conditions for sending a message and the result of the determination (detail description, paragraphs 33 and 39).

Regarding claim 19, Yuichi discloses the communication controller according to claim 1, wherein said message creating unit determines a state of the apparatus based on information indicating the state of the apparatus and creates contents of the message in accordance with set values indicating conditions for sending a message and the result of the determination (detail description, paragraph 33 and 41, user information (set value)).

Regarding claim 20, Yuichi discloses the communication controller according to claim 1, wherein said message creating unit inserts a sentence prepared in advance into the message based on the information obtained by said obtaining unit (detail description, paragraphs 40-41).

Regarding claim 21, Yuichi discloses the communication controller according to claim 1, wherein said controller is a network board mounted on the apparatus (fig. 5, inherent that network controller or any type of controller can be mounted as a piece of hardware in apparatus 300 in fig. 5).

Regarding claim 49, Yuichi discloses the communication controller according to
claim 1, the communication controller according to claim 1, wherein the message is an
e-mail message (detail description, paragraph 28).

Regarding claim 50, Yuichi discloses the communication controller according to
claim 1, wherein the browsing software is a web browser and the data sent by said data
sending unit is described in Hyper-Text Markup Language (detail description,
paragraphs 15, 37 and 40, since the message is generated/created between the client
and the server, it is implicit that HTTP is used since it is defined as a set of instructions
made by a computer program that enables your computer to connect to an Internet
document).

Regarding claim 51, Yuichi discloses the communication controller according to
claim 5, further comprising: a storing unit that stores information indication a plurality of
combinations of the language and the destination; and a language determining unit that
determines the language to be used in the message to be sent based on the information
stored by said storing unit, wherein said message creating unit creates the message in
the language determined by said language determining unit (detail description,
paragraphs, 27-37).

Regarding claim 52, Yuichi discloses the communication controller according to
claim 1, wherein said data sending unit sends data for enabling the browsing software
to display a screen on which the user can select the language from the list, enter a
destination of the message, and select a condition from a list of a plurality of conditions
on which the message is to be sent, wherein said receiving unit receives the language

data, destination data indicating the destination entered by the user, and condition data

indicating a condition selected by the user, wherein said sending unit sends the

message created by said message creating unit to the destination indicated by said

obtaining unit satisfies the condition indicated by the condition data received by said

receiving unit (detail description, paragraphs, 27-37).

Regarding claims 22, 26, 37-43, 46 and 53-56, the claims recite limitations that

are similar and in the same scope of invention as to those in claims 1, 5, 16-21 and 49-

52 above and combination thereof; therefore, claims 22, 26, 37-43, 46 and 53-56 are

rejected for the same rejection rationale/basis as described in claims 1, 5, 16-21 and

49-52.

Response to Arguments

Applicant's arguments on pages 16-19, filed 03/13/07, with respect to the

rejection(s)of claim(s) 1, 5, 16-22, 26, 37-43, 46 and 49-56 under 102(b) have been fully

considered and are not persuasive.

Regarding claim 1, the applicant argued the cited prior art (JP Pub. No. 2000-

259563) hereinafter Yuichi fails to teach and/or suggest "a data sending unit that sends,

onto the network, data for enabling a browsing software to display a list of a plurality of

languages which are selectable in the communication controller so as to allow a user to

select a language from the list to be used in a message to be sent."

In response to applicant's argument Yuichi discloses in the detail description,

paragraph, 0011 the uni-FAIDO message system enable the user to select the

language and create a failure message to be sent to a service man when an equipment failure has occur.
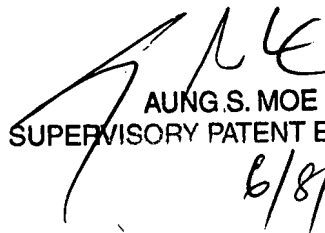
Contact Information

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Lam   6/4/07

AUNG S. MOE
SUPERVISORY PATENT EXAMINER
6/8/07